

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

SHEETZ, INC., SHEETZ DISTRIBUTION
SERVICES, LLC, and CLI TRANSPORT, LP,

Defendants.

Case No. 1:24-cv-01123-JRR
Judge Julie R. Rubin

DECLARATION OF CHRIS FASICK

I, Chris Fasick, make the following Declaration under penalty of perjury pursuant to the laws of the United States:

1. I am over the age of 18, am under no legal disability, and am competent to testify. If called as a witness, I would and could testify competently to the facts set forth in this declaration based on my personal knowledge.

2. I am employed by Sheetz, Inc. ("Sheetz") as Director of Employee Relations & Engagement Programs.

3. As Director of Employee Relations & Engagement Programs, I am responsible for overseeing the Employee Relations department for Sheetz and Sheetz Distribution Services, LLC ("SDS") and have had this responsibility since I was hired in 2001.

4. SDS is the production and distribution operation for Sheetz and is a subsidiary of Sheetz, Inc.

5. I am also responsible for overseeing the Employee Relations department for CLI Transport, LP, ("CLI") through a shared services agreement Sheetz between and CLI.

6. CLI is the dedicated petroleum carrier for Sheetz, Inc

7. The employees I manage have developed, revised, and administered the policies regarding hiring and procedures regarding criminal history reviews for job applicants that Sheetz, SDS, and CLI (collectively, the “Companies”) have utilized since at least 2015, in collaboration with the Sheetz Legal Department and the Sheetz Talent Acquisition Department.

8. The employees in the Employee Relations, Talent Acquisitions, and Legal Departments with responsibility for developing, revising, and administering the Companies’ policies regarding hiring and procedures regarding criminal history reviews for job applicants all work out of or report to one of the Companies’ facilities located in Blair County, Pennsylvania.

9. Sheetz and SDS are both incorporated in the Commonwealth of Pennsylvania.

10. Sheetz and SDS also have corporate offices in Claysburg, Pennsylvania, which is located in Blair County, Pennsylvania.

11. Sheetz’s corporate headquarters is located in Altoona, Pennsylvania (“Sheetz Corporate Office”), which is in Blair County, Pennsylvania.

12. Sheetz’s finance and accounting departments are located in the Sheetz Corporate Office.

13. At the Claysburg campus, Sheetz has its Operations Support Center (“OSC”), where many of Sheetz’s administrative and back-office operations are located, including the following Sheetz departments: Human Resources, Employee Relations, Operations, Information Technology, Store Support, Talent Acquisition, Compensation and Benefits, and Legal.

14. SDS’s headquarters is located in its Claysburg Distribution Center in Claysburg, Pennsylvania.

15. SDS also operates a distribution center in Burlington, North Carolina.

16. SDS's distribution centers produce, package, store, and transport many of the staple food products that Sheetz sells in its convenience stores, including "made-to-go" sandwiches, wraps, salads, parfaits, and bakery products.

17. The SDS accounting and finance departments and other back-office support operate out of the Claysburg Distribution Center.

18. My office is located in the Claysburg OSC.

19. All of the Companies' policies and procedures, including those pertaining to criminal history reviews, are developed, implemented, and administered by employees working out of the Companies' locations in Blair County, Pennsylvania.

20. Employees responsible for the developing, revising, and administering the policies regarding hiring and procedures regarding criminal history reviews for Sheetz and SDS applicants work out of Sheetz's OSC in Claysburg, Pennsylvania.

21. The actual review of the applicant criminal history information and decision making process regarding that review takes place in Blair County, Pennsylvania.

22. According to Google Maps, the distance between the Claysburg OSC located at 243 Sheetz Way, Claysburg, Pennsylvania 16625 and the federal courthouse located at 101 West Lombard Street Baltimore, Maryland 21201, is over 160 miles.

23. No employees responsible for developing, implementing, and administering the pre-hire criminal history review policies or procedures for Sheetz or SDS work in Maryland.

24. Because the back-office operations for Sheetz and SDS are mainly in Blair County, Pennsylvania, many of the documents and materials related to hiring and criminal history reviews are kept at the Companies' facilities there.

25. Sheetz also maintains a corporate office in Pittsburgh, Pennsylvania, which is located in the Western District of Pennsylvania.

26. Sheetz has over 700 store locations across six states — Pennsylvania, Ohio, Maryland, Virginia, West Virginia, and North Carolina — and more than 24,000 employees.

27. As of May 1, 2024, Sheetz operates 306 stores in Pennsylvania. Pennsylvania is the state with the most Sheetz stores.

28. As of May 1, 2024, Sheetz operates 34 stores in Maryland. Out of the six states where Sheetz currently operates, Maryland is the state with the fewest number of Sheetz stores.

29. The Sheetz stores in Maryland account for less than 5% of all Sheetz stores.

30. Joseph Gorsuch filed an EEOC Charge at Charge No. 530-2016-02176 as a result of a rescinded conditional offer of employment for a position at the Claysburg Distribution Center.

31. Rachael Whethers filed an EEOC Charge at Charge No. 533-2018-01081 as a result of a rescinded conditional offer of employment for a position at Sheetz Store #278, located in Uniontown, Pennsylvania, which is in Fayette County, Pennsylvania.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: 6/12/24


Chris Fasick